

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)

v.)

ALDRIC HARRIS)

CR. NO. 3:05-cr-223-LSC

MOTION FOR DOWNWARD DEPARTURE

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and pursuant to Rule 11(c)(1)(C), Federal Rules of Criminal Procedure, and Section 5K1.1 of the United States Sentencing Guidelines, respectfully requests this Honorable Court to depart downwardly one (1) level in the sentence that would otherwise be imposed on Aldric Harris, and as reasons therefore, submits the following:

1. The United States herein states that Defendant Harris has provided substantial assistance in the investigation of others involved in state and federal narcotics offenses within the Middle District of Alabama.

2. The United States submits that Defendant Harris has at all times been truthful with the federal, state, and local investigators.

3. Defendant Harris has indicated his willingness to cooperate with law enforcement and the United States Attorney's Office in the prosecution of other cases. According to the Auburn Police Department, Defendant Harris has provided a significant corroborating information on the criminal activities of others in Auburn, Alabama. Moreover, as part of his cooperation and assistance, Defendant Harris has been ready, willing, and able to testify before any grand jury, trial and/or sentencing of those individuals he assisted law enforcement in investigating and prosecuting in the Middle District of Alabama.

4. The United States submits that some degree of risk of injury to Defendant Harris has resulted because of his assistance.

5. As part of the plea agreement, Defendant Harris has waived his right to appeal and/or collaterally attack the sentence imposed in this case.

Wherefore, premises considered, the United States moves this Honorable Court for a downward departure of one (1) level from the applicable Guideline range as calculated by the United States Probation Office, Middle District of Alabama.

Respectfully submitted this the 25th day of April, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Donnie Bethel.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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